

70-08/PJG

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INDUSTRIAL CARRIERS INC.,

Plaintiff,

08 CV 0575 (VM)

NOTICE OF MOTION

-against-

ASSOCIATED BULK CARRIERS LTD.,

Defendant.
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PLEASE TAKE NOTICE that upon the annexed Affidavit of Peter J. Gutowski dated March 28, 2008, the Declaration of Ben Moon dated March 28, 2008, the exhibits annexed hereto, the accompanying Memorandum of Law and the pleadings and proceedings previously filed herein, the Defendant ASSOCIATED BULK CARRIERS LTD. will move this Court before the Honorable Victor Marrero in Courtroom 20B of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, at a time and date to be established by the Court, for an Order pursuant to Supplemental Rules E(2)(b) and/or E(7) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure directing the Plaintiff to provide counter security in the total sum of \$502,243.82 and for such other and further relief as the Court may determine is appropriate in the circumstances.

PLEASE TAKE FURTHER NOTICE that pursuant to the agreed motion schedule, opposition papers, if any, are to be served and filed on or before April 11, 2008, with reply papers due on April 18.

Dated: New York, New York
March 28, 2008

FREEHILL HOGAN & MAHAR LLP
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By: 

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